

2-26-02

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PTO/SB/05 (11-00)

Approved for use through 10/31/2002. OMB 0651-0082

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No. 04860.P0539C3
(maximum 12 characters)

First Named Inventor Daniel S. Venolia

Title: ZOOMING CONTROLLER

Express Mail Label No. EL 821 777 335 US

ADDRESS TO: Assistant Commissioner for Patents
Box Patent Application
Washington, D. C. 20231

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

1. Fee Transmittal Form (e.g., PTO/SB/17)
(Submit an original, and a duplicate for fee processing)
2. _____ Applicant Claims Small Entity Status. (37 CFR 1.27)
3. Specification (Total Pages 31)
(preferred arrangement set forth below)
 - Descriptive Title of the Invention
 - Cross Reference to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Reference sequence listing, a table, or a computer program listing appendix
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings (if filed)
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure
4. Drawings(s) (35 USC 113) (Total Sheets 10)
5. Oath or Declaration (Total Pages 2)
 - a. _____ Newly Executed (Original or Copy)
 - b. Copy from a Prior Application (37 CFR 1.63(d))
(for Continuation/Divisional with Box 18 completed)
 - i. _____ DELETIONS OF INVENTOR(S) Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
 - c. _____ Unsigned.
6. _____ Application Data Sheet. (37 CFR 1.76)
7. _____ CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. _____ Nucleotide and/or Amino Acid Sequence Submission
(if applicable, all necessary)
 - a. _____ Computer Readable Form (CRF)
 - b. _____ Specification Sequence Listing on:
 - i. _____ CD-ROM or CD-R (2 copies); or
 - ii. _____ paper
 - c. _____ Statement verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

9. _____ Assignment Papers (cover sheet & documents(s))
10. _____ a. Separate 37 CFR 3.73(b) Statement (where there is an assignee)
_____ b. Power of Attorney
11. _____ English Translation Document (if applicable)
12. a. Information Disclosure Statement (IDS)/PTO-1449
_____ b. Copies of IDS Citations
13. Preliminary Amendment
14. Return Receipt Postcard (MPEP 503) (Should be specifically itemized)
15. _____ Certified Copy of Priority Document(s) (if foreign priority is claimed)
16. _____ Request and Certification under 35 U.S.C. 122(b)(2)(B)(i). Applicant must attach
form PTO/SB/35 or its equivalent.
17. Other: Copy of postcard with Express Mail Certificate of Mailing; and

18A. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information:

Continuation Divisional Continuation-in-part (CIP)
Of Prior Application No.: 09/551,411 Examiner J. Brier Group Art Unit 2672
(which is a X continuation/ divisional/ CIP of prior application no. 08/104,251,
which is a X continuation/ divisional/ CIP of prior application no. 07/811,830) (List entire chain of priority)

Applicant(s): Also include a Preliminary Amendment to amend the specification to claim priority.
For CONTINUATION AND DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

18B. Statement under 37 CFR 3.73(b) for continuing application:

The undersigned states that Apple Computer, Inc. (name of assignee) is the assignee of the entire right, title, and interest in the accompanying patent application by virtue of an assignment recorded in the Patent and Trademark Office at Reel. No. 5969
Frame No. 0839 (or a copy of which is attached).

19. Correspondence Address

Customer Number or Bar Code Label _____
or _____ (Insert Customer No. or Attach Bar Code Label here)

Correspondence Address Below

NAME James C. Scheller, Jr.

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

ADDRESS 12400 Wilshire Boulevard, Seventh Floor

CITY Los Angeles STATE California ZIP CODE 90025-1026

Country U.S.A. TELEPHONE (408) 720-8300 FAX (408) 720-8383

Name (PRINT/TYPE): James C. Scheller, Jr. Registration No.: 31,195

Signature: James C. Scheller Date: 2/22/2002

FEE TRANSMITTAL FOR FY 2002**TOTAL AMOUNT OF PAYMENT (\$)** 1128.00**Complete if Known:**

Application No. _____
Filing Date February 22, 2002
First Named Inventor Daniel S. Venolia
Group Art Unit _____
Examiner Name _____
Attorney Docket No. 04860.P0539C3

METHOD OF PAYMENT (check one)

1. The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:

Deposit Account Number 02-2666
 Deposit Account Name _____

Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

2. Payment Enclosed:

Check
 Money Order
 Other

FEE CALCULATION**1. BASIC FILING FEE****Large Entity Small Entity**

| Fee Code | Fee (\$) | Fee Code (\$) | Fee Description | Fee Paid |
|----------|----------|---------------|---------------------------------------|---------------|
| 101 | 740 | 201 | 370 Utility application filing fee | <u>740.00</u> |
| 106 | 330 | 206 | 165 Design application filing fee | _____ |
| 107 | 510 | 207 | 255 Plant filing fee | _____ |
| 108 | 740 | 208 | 370 Reissue filing fee | _____ |
| 114 | 160 | 214 | 80 Provisional application filing fee | _____ |

SUBTOTAL (1) \$ 740.00**2. EXTRA CLAIM FEES**

| Total Claims | - | Extra | Fee from below | Fee Paid |
|---------------------------|--------|-------|----------------|----------|
| 25 | - 20 = | 5 | X 18.00 | = 90.00 |
| Independent Claims 5 | - 3 = | 2 | X 84.00 | = 168.00 |
| Multiple Dependent Claims | | X | = | _____ |

**Or number previously paid, if greater; For Reissues, see below.

Large Entity Small Entity

| Fee Code | Fee (\$) | Fee Code (\$) | Fee Description |
|----------|----------|---------------|---|
| 103 | 18 | 203 | 9 Claims in excess of 20 |
| 102 | 84 | 202 | 42 Independent claims in excess of 3 |
| 104 | 280 | 204 | 140 Multiple dependent claim, if not paid |
| 109 | 84 | 209 | 42 **Reissue independent claims over original patent |
| 110 | 18 | 210 | 9 **Reissue claims in excess of 20 and over original patent |

SUBTOTAL (2)\$ 258.00

FEE CALCULATION (continued)

3. ADDITIONAL FEES

| <u>Large Entity</u> | <u>Small Entity</u> | <u>Fee Description</u> | <u>Fee Paid</u> |
|---------------------|---------------------|--|--|
| Fee Code | Fee (\$) | Fee Code (\$) | |
| 105 | 130 | 205 | 65 |
| 127 | 50 | 227 | 25 |
| | | | Surcharge - late filing fee or oath |
| | | | Surcharge - late provisional filing fee or cover sheet |
| 139 | 130 | 139 | 130 |
| 147 | 2,520 | 147 | 2,520 |
| 099 | 8,800 | 099 | 8,800 |
| 112 | 920* | 112 | 920* |
| | | | Non-English specification |
| | | | For filing a request for ex parte reexamination |
| | | | Request for inter partes reexamination |
| | | | Requesting publication of SIR prior to Examiner action |
| 113 | 1,840* | 113 | 1,840* |
| | | | Requesting publication of SIR after Examiner action |
| 115 | 110 | 215 | 55 |
| 116 | 400 | 216 | 200 |
| 117 | 920 | 217 | 460 |
| 118 | 1,440 | 218 | 720 |
| 128 | 1,960 | 228 | 980 |
| 119 | 320 | 219 | 160 |
| 120 | 320 | 220 | 160 |
| 121 | 280 | 221 | 140 |
| 138 | 1,510 | 138 | 1,510 |
| 140 | 110 | 240 | 55 |
| | | | Petition to institute a public use proceeding |
| | | | Petition to revive unavoidably abandoned application or unavoidably delayed payment of issue fee |
| 141 | 1,280 | 241 | 640 |
| | | | Petition to revive unintentionally abandoned application or unintentionally delayed payment of issue fee |
| 142 | 1,280 | 242 | 640 |
| 143 | 460 | 243 | 230 |
| 144 | 620 | 244 | 310 |
| 122 | 130 | 122 | 130 |
| 123 | 50 | 123 | 50 |
| 126 | 180 | 126 | 180 |
| 581 | 40 | 581 | 40 |
| | | | Recording each patent assignment per property (times number of properties) |
| 146 | 740 | 246 | 370 |
| | | | For filing a submission after final rejection (see 37 CFR 1.129(a)) |
| 149 | 740 | 249 | 370 |
| | | | For each additional invention to be examined (see 37 CFR 1.129(b)) |
| 179 | 740 | 279 | 370 |
| 169 | 900 | 169 | 900 |
| | | | Request for Continued Examination (RCE) |
| | | | Request for expedited examination of a design application |
| Other fee (specify) | | Petition for Suspension of Action (1 page) | 130.00 |
| Other fee (specify) | | | |
| | | SUBTOTAL (3)\$ | 130.00 |

*Reduced by Basic Filing Fee Paid

SUBMITTED BY:

Typed or Printed Name: James C. Scheller, Jr.

Signature:  Date: 2/22/2002

Reg. Number: 31,195 Telephone Number: (408) 720-8300

Atty. Docket No. 04860.P0539C3

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
Daniel S. Venolia) Examiner: Not yet assigned
Application No. _____) Art Unit: Not yet assigned
Filed: February 22, 2002)
For: ZOOMING CONTROLLER)

Asst. Commissioner for Patents
Washington, D.C. 20231

PETITION FOR SUSPENSION OF PROSECUTION

UNDER 37 C.F.R. 1.103

Sir:

Applicant hereby petitions for the suspension of action in this application. At the present time, no outstanding action exists in this application. The suspension of action is requested for the reasonable time period of three months, and a check is enclosed for the necessary fee under 37 C.F.R. 1.17(i).

Please charge Deposit Account No. 02-2666 for any shortage of fees in connection with this response.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN

Date: 2/22, 2002



James C. Scheller, Jr.
Reg. No. 31,195

12400 Wilshire Boulevard
Seventh Floor
Los Angeles, California 90025-1026
(408) 720-8300

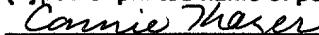
"Express Mail" mailing label number: EL 821 777 335 US

Date of Deposit: February 22, 2002

I hereby certify that I am causing this paper or fee to be deposited with the United States Postal Service "Express Mail Post Office to Addressee" service on the date indicated above and that this paper or fee has been addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231

Connie Thayer

(Typed or printed name of person mailing paper or fee)



(Signature of person mailing paper or fee)

2-22-02

(Signed)

EXPRESS MAIL CERTIFICATE OF MAILING

"Express Mail" mailing label number: EL 821 777 335 45
Date of Deposit: FEBRUARY 22, 2002

I hereby certify that I am causing this paper or fee to be deposited with the United States Postal Service "Express Mail Post Office to Addressee" service on the date indicated above and that this paper or fee has been addressed to the Assistant Commissioner for Patents, Washington, D. C. 20231

CONNIE THAYER

(Typed or printed name of person mailing paper or fee)

Connie Thayer

(Signature of person mailing paper or fee)

2-22-02

(Date signed)

Serial/Patent No.: *** Filing/Issue Date: February 22, 2002
Client: Apple Computer, Inc.
Title: ZOOMING CONTROLLER

bstz File No.: 04860.P0539C3
Date Mailed: 2-22-02

Atty/Secty Initials: JCS/clt

Docket Due Date: ***

The following has been received in the U.S. Patent & Trademark Office on the date stamped hereon:

| | | |
|---|--|--|
| <input type="checkbox"/> Amendment/Response (____ pgs.) | <input checked="" type="checkbox"/> Express Mail No: <u>EL821777335US</u> | <input checked="" type="checkbox"/> Check No. <u>78411</u> |
| <input type="checkbox"/> Appeal Brief (____ pgs.) (in triplicate) | <input type="checkbox"/> Month(s) Extension of Time | <input type="checkbox"/> Amt: <u>\$998.00</u> |
| <input type="checkbox"/> Application - Utility (____ pgs., with cover and abstract) | <input checked="" type="checkbox"/> Information Disclosure Statement & PTO-149 (5 pgs.) | <input checked="" type="checkbox"/> Check No. <u>47390</u> |
| <input checked="" type="checkbox"/> Application - Rule 1.53(b) Continuation (<u>31</u> pgs.) | <input type="checkbox"/> Issue Fee Transmittal <u>1.98(d)</u> | <input type="checkbox"/> Amt: <u>\$130.00</u> |
| <input type="checkbox"/> Application - Rule 1.53(b) Divisional (____ pgs.) | <input type="checkbox"/> Notice of Appeal | |
| <input type="checkbox"/> Application - Rule 1.53(b) CIP (____ pgs.) | <input type="checkbox"/> Petition for Extension of Time | |
| <input type="checkbox"/> Application - Rule 1.53(d) CPA Transmittal (____ pgs.) | <input checked="" type="checkbox"/> Petition for Suspension of Action (1 pg) | |
| <input type="checkbox"/> Application - Design (____ pgs.) | <input checked="" type="checkbox"/> Postcard | |
| <input type="checkbox"/> Application - PCT (____ pgs.) | <input type="checkbox"/> Power of Attorney (____ pgs.) | |
| <input type="checkbox"/> Application - Provisional (____ pgs.) | <input checked="" type="checkbox"/> Preliminary Amendment (2 pgs.) | |
| <input type="checkbox"/> Assignment and Cover Sheet | <input type="checkbox"/> Reply Brief (____ pgs.) | |
| <input checked="" type="checkbox"/> Certificate of Mailing | <input type="checkbox"/> Response to Notice of Missing Parts | |
| <input type="checkbox"/> Declaration & POA (____ pgs.) | <input type="checkbox"/> Small Entity Declaration for Indep. Inventor/Small Business | |
| <input type="checkbox"/> Disclosure Docs & Org & Copy of Inventor's Signed Letter (____ pgs.) | <input checked="" type="checkbox"/> Transmittal Letter, in duplicate <u>2 pgs</u> | |
| <input type="checkbox"/> Drawings. ____ # of sheets includes ____ figures | <input checked="" type="checkbox"/> Fee Transmittal, in duplicate <u>2 pgs</u> | |

Other: Copy of prior appln no. 09/551,411 filed 4/18/00 (31 pgs) with copy of signed Declaration (2 pgs) and 10 sheets of drawings; copy of postcard with Express Mail certificate of mailing (1 pg)